

Message Text

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ACTION EUR-12

INFO OCT-01 EA-10 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 OMB-01 TRSE-00 /077 W
-----034553 150300Z /23

R 141108Z JUL 78
FM AMEMBASSY LONDON
TO SECSTATE WASHDC 8109
INFO AMEMBASSY KUALA LUMPUR
AMEMBASSY SINGAPORE
AMEMBASSY JAKARTA
AMEMBASSY MANILA

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 11101

E.O. 11652: XGDS-1
TAGS: PGOV, BX, UK
SUBJECT: BRITISH NEGOTIATE INDEPENDENCE OF BRUNEI

REF: A) LONDON 5423; B) KUALA LUMPUR 6662

1. FCO ASSISTANT UNDER SECRETARY MURRAY BRIEFED
EMBOFF JULY 13 ON NEGOTIATIONS WHICH THE BRITISH
CONCLUDED WITH BRUNEI AT THE END OF JUNE. THE
NEGOTIATIONS PROVIDE FOR THE FULL INDEPENDENCE OF
BRUNEI IN FIVE YEARS. MURRAY SAID THAT THE BRITISH
CONCLUDED THE FOLLOWING WITH THE SULTAN OF BRUNEI:
A) A DRAFT EXCHANGE OF NOTES TERMINATING THE SPECIAL
TREATY RELATIONSHIP BETWEEN THE TWO COUNTRIES;
B) A DRAFT TREATY OF FRIENDSHIP WHICH WOULD TAKE EFFECT
AS SOON AS THE SPECIAL TREATY RELATIONSHIP TERMINATES;
C) A DRAFT EXCHANGE OF NOTES CONTINUING THE EXISTING
FORM OF MILITARY ASSISTANCE WHICH THE BRITISH GOVERNMENT
PROVIDES FOR THE ARMED FORCES OF BRUNEI (PARTICULARLY
THE PROVISION OF SECONDED AND CONTRACT BRITISH OFFICERS);
D) A DRAFT EXCHANGE OF NOTES ON NATIONALITY (MURRAY
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COMMENTED THAT THIS WAS IMPORTANT BECAUSE BRUNEI WAS
NOT A PROTECTORATE BUT AN INDEPENDENT STATE WITH THE
ANOMALOUS SITUATION THAT BRUNEI NATIONALS ARE STILL
BRITISH PROTECTED PERSONS);
E) A DRAFT EXCHANGE ON JUDICIAL MATTERS;
F) AN EXCHANGE ON THE RETENTION OF THE GURKHA UNITS IN
BRUNEI FOR UP TO FIVE YEARS; AND FINALLY

G) A DRAFT EXCHANGE ON THE ESTABLISHMENT OF A BRUNEI DIPLOMATIC SERVICE SO THAT THE SULTAN CAN TAKE OVER FOREIGN AFFAIRS AT THE END OF FIVE YEARS.

2. MURRAY SAID ALL THESE DOCUMENTS ARE IN BRUNEI BEING TRANSLATED INTO MALAY, SO THAT THERE WILL BE A HIATUS DURING THE SUMMER. IN THE SECOND HALF OF SEPTEMBER, 1978, THE SULTAN WILL COME BACK TO BRITAIN TO INITIAL ALL THE DOCUMENTS. THEN IN DECEMBER, 1978, ONCE THEY HAVE BEEN PUT INTO TREATY FORM THE WHOLE LOT WILL BE FORMALLY SIGNED IN BRUNEI, AT WHICH TIME THE FIVE YEAR TRANSITIONAL PERIOD WILL COMMENCE. THE BRITISH DO NOT KNOW WHAT DATE IN SEPTEMBER THE SULTAN WILL RETURN, OR WHAT DATE IN DECEMBER THE FINAL SIGNATURES WILL TAKE PLACE. HOWEVER, FIRM AGREEMENT HAD BEEN REACHED WITH THE SULTAN THAT THE FORMAL SIGNATURES WOULD TAKE PLACE BEFORE DECEMBER 31, SO THAT ALL THE DOCUMENTS WOULD ENTER INTO FORCE BEFORE THE END OF DECEMBER, 1983.

3. MURRAY NOTED THAT THE FOREGOING LIST IS STILL CONFIDENTIAL ALTHOUGH SOME OF THE EXCHANGES WILL BE PUBLISHED. ONLY TWO OF THEM ARE GOING INTO FORCE AS SOON AS THEY ARE SIGNED IN DECEMBER, 1978: THE AGREEMENT EXTENDING THE GURKHA UNITS AND THE AGREEMENT TO CREATE A BRUNEI DIPLOMATIC SERVICE.

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4. MURRAY SAID THAT THE SULTAN HAD WANTED TO HOLD OUT

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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 11101

FOR A TEN-YEAR TRANSITION PERIOD BEFORE FULL INDEPENDENCE AND HAD BARQAINED HARD FOR SUCH AN AQREEMENT. HOWEVER, THE NEGOTIATIONS HAD BEEN RAPIDLY AND SATISFACTORILY CONCLUDED FROM THE POINT OF VIEW OF THE BRITISH. THE SULTAN MADE NO MENTION OF JOINING MALAYSIA BUT ASKED ABOUT JOINING THE COMMONWEALTH. THE BRITISH TOLD HIM THAT THEY ARE CONFIDENT THAT AN APPLICATION BY BRUNEI TO JOIN THE COMMONWEALTH WOULD BE FAVORABLY RECEIVED.

5. MURRAY COMMENTED THAT THE MALAYSIANS AND SINQAPOREANS ARE QUIETLY SATISFIED WITH THIS DEVELOPMENT, AND ARE RESPONSIVE TO THE BRITISH PROPOSAL THAT THE BRITISH SHOULD NOW START ENCOURAGING THE SULTAN TO MOVE FORWARD ON DEMOCRATIC MEASURES. IT WAS ONLY AT THE END OF LAST YEAR THAT THE MALAYSIANS AND SINQAPOREANS REALLY STARTED TO FOCUS ON WHAT THE UK HAS BEEN DOING ABOUT BRUNEI, ALTHOUGH THE UK HAD KEPT THEM INFORMED. THE MALAYSIANS AND SINGAPOREANS HAD BEEN WELCOMING BRITISH EFFORTS TO OBLIGE THE SULTAN TO REALIZE THAT THE BEST
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POSTURE FOR BRUNEI WAS TO STAND ON ITS OWN FEET. MORE RECENTLY THE MALAYSIANS AND SINGAPOREANS HAD STARTED TO URGE THE BRITISH NOT TO RUSH THINGS IN BRUNEI, ON THE GROUNDS THAT A PRECIPITOUS CHANGE COULD BE DESTABILIZING. THESE WARNINGS HAD CARRIED A LOT OF WEIGHT WITH THE UK AND WERE A MAJOR FACTOR IN INFLUENCING THE UK TO OFFER A FULL FIVE YEAR TRANSITIONAL PERIOD TO THE SULTAN.

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